

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEVON IT, INC., et al,	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	NO. 10-2899
v.	:	
	:	
IBM CORP., et al,	:	
	:	
Defendants.	:	

ORDER

AND NOW, this 31st day of March 2011, upon consideration of Defendants' Motion to Dismiss the Complaint (Doc. No. 22), Plaintiffs' Response in Opposition (Doc. No. 27), Defendants' Reply in further support of the Motion to Dismiss (Doc. No. 33), Plaintiffs' Supplemental Brief in Opposition (Doc. No. 37), and Defendants' Supplemental Brief in Support of the Motion to Dismiss (Doc. No. 38), and following a hearing on the Motion held on November 2, 2010, it is **ORDERED** that:

1. Defendants' Motion to Dismiss (Doc. No. 22) is **GRANTED** in part and Counts III, VIII, and IX are **DISMISSED**.
2. Defendants' Motion is **DENIED** as to Counts I, II, IV, V, VI, and VII.
3. Defendants are Ordered to file an Answer to the Complaint within twenty (20) days of the date of the entry of this Order.

BY THE COURT:

/s/ Joel H. Slomsky, J.
JOEL H. SLOMSKY, J.